IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7751 OF 2006

Gajanan Bajirao More Petitioner
versus
State of Maharashtra & others Respondents

T.Rajaram Mohan Roy for petitioner.
S.A.Pawar for respondent no.,2.
S.K.Chinchalikar, AGP for respondents.

CORAM : A.P.DESHPANDE, J.

DATE : 08th December 2006

PC :

1. The petitioner challenges an order passed by the Divisional Joint Registrar, Co-operative Societies dated 17th October 2006 rejecting an application moved by the petitioner seeking condonation of delay in filing the Revision Application which, in turn, was challenging issuance of a Recovery Certificate u/s 101 of the Co-operative Societies Act. The certificate was issued in favour of the society and against the petitioner and other debtors on 24th September 2002.

2. The petitioner himself has averred in the condonation of delay application filed before the Revisional Authority, that the deductions are being made from the salary of the petitioner since September 2003. If this be so, the petitioner shall be deemed to have been aware of the granting of recovery certificate when deductions started from the petitioner's salary from September 2003. For the first time the petitioner has made an application for obtaining a certified copy on 25th September 2006 and thereafter has filed the revision application. The Revisional Authority has held that delay of three years from September 2003 to 25th September 2006 is wholly unexplained and hence has rejected the application for condonation of delay. True it is that there is no explanation for the delay of three years referred to above, and, hence, the order impugned in this petition passed by the Revisional Authority, cannot be termed as perverse or patently illegal. Hence no interference is called for. In the result, the petition is summarily rejected.

(A.P.DESHPANDE, J.)